

REMARKS

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The rejections of claims 1, 3, 4, 5, 12, 13, 14 and 15 under 35 U.S.C. §103(a) for obviousness is respectfully traversed in view of the above amendments.

The rejection of claims 16-17 under 35 U.S.C. §112(first paragraph) for lack of written description is respectfully traversed in view of the above amendments and the following remarks.

Firstly, Applicants point out that there is no in haec verba requirement for amended claims, and such claim amendments may be supported in the specification through express, implicit or inherent disclosure. See Manual of Patent Examining Procedure (MPEP) 2163(I)(B). Although Applicants believe that the claims as amended in the Amendment dated June 14, 2007 are properly supported in the application as filed, Applicants have provided further claim amendments to advance prosecution.

In particular, as set out on page 6, lines 16-30, the present invention relates to molecular markers, which when detected individually, do not achieve sufficient specificity with regard to recognizing pathologically altered cells or tissues (i.e. tumor cells or their precursor cells). This deficient specificity can be offset by simultaneously detecting at least two markers in a cell. Further, as set out on page 7, lines 13-23 and page 15, line 26 to page 17, line 11, if the sum of particular signal intensities exceeds a minimum (threshold) value, the sample is classified as being pathological (i.e. tumor cells or their precursor cells).

In view of the foregoing, applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

June 3, 2008
Date

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